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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,527	07/25/2003	Raymond W. Howard	Lucky Line.1320	2915

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Rutan & Tucker, LLP.
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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3673

MAIL DATE	DELIVERY MODE
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06/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/627,527

Applicant(s)

HOWARD, RAYMOND W.

Examiner

Lloyd A. Gall

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4,5,9-11 and 14-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-8,12 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

At the outset, and as set forth in the last Office action, applicant should note that the drawings filed on March 30, 2007 are approved. The drawing corrections filed on November 13, 2007 are not approved, and are not necessary. The numeral 19 in the drawing correction of November 13, 2007 is inaccurate.

Claims 1-3, 6-8, 12 and 13 are objected to because of the following informalities: In claim 1, line 3 and at other locations, "second means" is unclear, since a first means has not been claimed. In claim 1, lines 7-8, the combination of a small aperture through which a locking ring is threaded, and further including a slot for holding a wire wound spring is unclear. This appears to claim both a small aperture, and a slot, and claims a key ring twice. In claim 2, line 1, "Amended" should have been replaced with --presented--. In claim 3, line 2, the "docking buttons" (plural) is unclear, since only one tag has been claimed. In claim 12, line 2, the circular wire winding, or key ring, appears to be claimed a third time, with claim 12 depending from claim 1. In claim 13, line 1, "Amended" should have been replaced with --presented--. Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-3, 6, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klose (315) in view of Collier (036).

Klose teaches a flat, elongated case 1 having a docking port 2 formed therein, a tag 3 for attaching to keys, the tag including a docking button 8 connected to the tag 3 by a spring defined by the groove 30 between the button 8 and the tag 3, the tag including a second means defined by the ring 6 and slot 21 for receiving keys, wherein the docking button 8 is snap-fitted with the docking port 2, and the button 8 is released by digital pressure applied to the button. With respect to claim 3, fig. 7 teaches a case 1 with plural docking ports 2 and plural docking buttons 8 spaced apart. In fig. 6, Collier (036) teaches a slot 15 for receiving a circular key ring 13 (see column 5, line 52). It would have been obvious to modify the slot 21 of Klose such that it receives a key ring for attaching keys, in view of the teaching of Collier, to provide expected key holding results.

Claims 1, 3, 6-8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isenmann (934) in view of Collier (036).

Isenmann teaches a flat, elongated case 10 having a docking port 42 formed therein, a tag 12 for attaching to keys, the tag including a docking button 40, 50 connected to the tag 12 by a spring arm 36, the tag including a second means defined by the key chain and aperture 30 for receiving keys, wherein the docking button 40, 50 is snap-fitted with the docking port 42, and the button 40, 50 is released by digital pressure applied to the button. With respect to claim 7, the keychain located at the other end of the case 14 provides a means to allow an additional case to be connected,

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end-to-end with the case 10. With respect to claim 8, the key chain and the aperture 30 on the case 10 may also be regarded as providing a side loop for holding other keys.

In fig. 6, Collier (036) teaches a slot 15 for receiving a circular key ring 13 (see column 5, line 52). It would have been obvious to modify the aperture 30 of Isenmann such that it receives a circular key ring for attaching keys, in view of the teaching of Collier, to provide expected key holding results.

Claims 1-3, 6-8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collier (036).

As seen in fig. 5, Collier teaches a flat, elongated case 16, 17 having a docking port 21 formed therein, a tag 16 having a second means defined by aperture 15 for receiving a circular key ring 13 (see column 5, line 52) for holding keys, the tag 16 including a docking button 22 for being snap-fitted (see column 6, line 28) with the docking port 21, the button 22 being released from the port 21 by digital pressure applied to the button 22. With respect to claims 3 and 7, Collier also teaches plural, end-to-end docking ports and plural docking buttons to connect plural cases together, as shown in the Figs. 48, 49 and 63 embodiments, wherein one of these case having a key ring may be regarded as the side loop of claim 8. With respect to claim 13, the docking button 22 is mounted on a spring arm 19 of the tag. Fig. 6 of Collier (036) teaches a slot 15 for receiving a key ring 13. It would have been obvious to modify the aperture 15 of Fig. 5 of Collier (036) to include a slot for receiving the key ring, in view of the teaching 15 of Fig. 6 of Collier (036), to provide expected key holding results.

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Applicant's arguments filed April 8, 2008 have been fully considered but they are not persuasive. In response to applicant's remarks on page 5, lines 15-16, it is noted that claim 1, line 2 filed in the Office on November 13, 2007, reads "a case having a docking port formed therein and including first means for". It is possible that applicant is looking at a different copy of claim 1, than that which was filed. It is also noted that this "first means" does not appear in the amended claim 1 of the claim listing filed on April 8, 2008. In response to applicant's remarks on page 6, lines 12 and 14, the claims do not set forth the keys as to be mounted in the case. The keys are mounted on the case, as is set forth in the claims. The remainder of applicant's remarks are regarded as moot, in view of the new grounds of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on 571-272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lloyd A. Gall/
Primary Examiner, Art Unit 3673

/L. A. G./
Primary Examiner, Art Unit 3673
May 29, 2008